

2-8-07

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : HOFFBECK, Mark David  
SERIAL NO : 10/785,146  
FILED : February 24, 2004  
TITLE : INBRED MAIZE LINE PH3RC  
  
Grp./A.U. : 1638  
Examiner : MEHTA, Ashwin D.  
Conf. No. : 8164  
Docket No. : P06268US02 - PHI 1433C

Commissioner for Patents  
Attention: Refund Section, Accounting Division, Office of Finance  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR REFUND**  
(Improper charge of Deposit Account)  
(37 CFR 1.26(b))

**I. REFUND REQUEST**

This is a request for a refund with respect to the charge to Deposit Account 26-0084 shown on the statement for the month of February, 2007 for the above-identified application.

A copy of the monthly statement, page 4, in which the error referred to occurs accompanies this request.

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this correspondence is, on the date shown below, being:

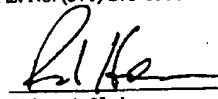
**MAILING**

☐ deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 3/8/07

**FACSIMILE/ELECTRONIC**

☒ transmitted by facsimile/electronic to the Patent and Trademark Office, Art Unit 1638 at Fax No. (571) 273-8300.

  
Robert A. Hodgson

**Best Available Copy**

## II. FEES CHARGED

Code 1202	Claims in excess of 20	\$650.00
Code 1201	Independent claims in excess of 3	\$600.00
Code 1201	Independent claims in excess of 3	\$200.00

## III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

The Preliminary Amendment filed June 16, 2005 had one new independent claim in excess of 3 and we should have charged \$200.00. However, the Second Preliminary Amendment filed September 15, 2005 included this independent claim in the total. Attached as Exhibit A is the 9/15/2005 Amendment showing "independent" versus "dependent" claims. The PTO made an error in charging the additional amount according to our calculations with this Amendment. As seen on the last page of the 9/15/2005 Amendment, the amount charged to Deposit Account should be \$1,100 and therefore, the Deposit Account should be credited in the amount of \$350.00.

The Amendment filed January 31, 2007 had no additional claims submitted.

What should only have been charged is:

Code 1202	Claims in excess of 20	\$700.00
Code 1201	Independent claims in excess of 3	\$400.00
	TOTAL	\$1,100.00

SEE EXHIBIT A ATTACHED, pages 1-10 (9/15/2005 Second Prelim Amendment) - marked on this exhibit are independent/dependent claims.

**IV. MANNER OF REFUND**

Please make refund by

☒ crediting Deposit Account No. 26-0084 in the amount of \$350.00.

☐ refunding payment

Respectfully submitted,



ROBERT A. HODGSON, Registration No. 56,375  
McKee, Voorhees & Sease, P.L.C.  
801 Grand Avenue, Suite 3200  
Des Moines, Iowa 50309-2721  
Phone No. (515) 288-3667  
Fax No. (515) 288-1338  
**CUSTOMER NO: 27142**

Attorneys of Record

## Deposit Account Statement

Page 4 of 6

02/13 750 11673822	P07110US01	4011	\$75.00	\$19,4
02/13 751 11673822	P07110US01	2111	\$250.00	\$19,1
02/13 752 11673822	P07110US01	2311	\$100.00	\$19,0
02/13 753 11673822	P07110US01	2202	\$50.00	\$19,0
02/13 22 5959082	P04666US02 - P763-22	2552	\$1,150.00	\$17,8
02/13 154 11673822	P07110US01; C922-3	8021	\$40.00	\$17,8
02/13 204 5947041	P01628US00; L326-0	2552	\$1,150.00	\$16,6
02/14 131 10762610	P06433US00	2251	\$60.00	\$16,6
02/14 132 10762610	P06433US00	2801	\$395.00	\$16,2
02/14 1990 11466015	P07576US01	2202	\$250.00	\$15,9
02/14 1991 11466015	P07576US01	2201	\$200.00	\$15,7
02/14 967 78509185	B005-15 78/509,185	7005	\$100.00	\$15,6
02/14 1787 77107079	F927-4	7001	\$325.00	\$15,3
02/14 3267 11674707	P07434US01	4011	\$75.00	\$15,2
02/14 3268 11674707	P07434US01	2111	\$250.00	\$15,0
02/14 3269 11674707	P07434US01	2311	\$100.00	\$14,9
02/14 3278 10741262	P06274US01	1814	\$130.00	\$14,8
02/14 3318 11459084	P07277US02	2051	\$65.00	\$14,7
02/14 3319 11459084	P07277US02	2253	\$510.00	\$14,2
02/14 590 11674707	P07434US01; C110-31	8021	\$40.00	\$14,1
02/14 594 11459084	P07277US02; I006-674	8021	\$40.00	\$14,1
02/14 595 11670153	P07805US01 - R016-3	8021	\$40.00	\$14,1
02/14 3402 60889769	P07864US00	2005	\$100.00	\$14,0
02/14 2019 77107183	H445-25	7001	\$325.00	\$13,6
02/14 2044 78821724	E035-1 78/821,724	7001	\$325.00	\$13,3
02/14 2093 77107211	T222-36	7001	\$325.00	\$13,0
02/14 2122 77107222	O007-33	7001	\$325.00	\$12,7
02/14 669 11670153	P07805US01 - R016-3	8021	\$40.00	\$12,6
02/15 1 5975804	P00023US00 - B665-0	2552	\$1,150.00	\$11,5
02/15 118 60856124	P07559US00 - PHI 2323	8021	\$40.00	\$11,4
02/15 127 60856123	P07652US00 - PHI 2273 PHI	8021	\$40.00	\$11,4
02/15 136 60856123	P07652US00; PHI 2273 ABR	8021	\$40.00	\$11,4
02/15 1660 1063505	C409-00 1,063,505	7205	\$200.00	\$11,2
02/15 1661 1063505	C409-00 1,063,505	7201	\$800.00	\$10,4
02/15 3580 10741562	P06267US01	1814	\$130.00	\$10,2
02/16 3 E-REPLENISHMENT		9203	-\$20,000.00	\$30,2
02/16 359 2069769	P035-1 2,069,769	7205	\$100.00	\$30,1
02/16 360 2069769	P035-1 2,069,769	7201	\$400.00	\$29,7
02/16 1245 60890101	P07876US00	1005	\$200.00	\$29,5
02/16 1371 60890107	P07877US00	1005	\$200.00	\$29,3
02/16 928 78822899	D597-6 78/822,899	7001	\$650.00	\$28,7
02/16 1 11030734	P06398US01-PHI 1598C	1806	\$180.00	\$28,5
02/16 1 10785146	P06268US02 - PHI 1433	1202	\$650.00	\$27,8
02/16 2 10785146	P06268US02 - PHI 1433	1201	\$600.00	\$27,2
02/16 3 10785146	P06268US02 - PHI 1433	1201	\$200.00	\$27,0
02/16 1995 78973899	K062-1 78/973,899	7002	\$100.00	\$26,9
02/16 4 10784355	P06603US01	1201	\$200.00	\$26,7
02/20 642 10367417	P04702US01	1251	\$120.00	\$26,6

2007:

P020-1063

addl  
claim

\$1450

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Adjustment Date: 03/12/2007 SDIRETA1  
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